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PLUM Committee
City Hall
200 N. Spring Street
Los Angeles, CA 90012

September 9, 2013

Re: CF# 13-0804-S1
360 N. Stone Canyon Road

Beachwood Canyon Neighborhood
Bel Air Knolls Property Owners
Bel Air Skycrest Property Owners
Bel Air Ridge Association
Benedict Canyon Association
Brentwood Hills Homeowners
Brentwood Residents Coalition
Cahuenga Pass Property Owners
Canyon Back Alliance
Crests Neighborhood Assn.
Franklin Ave./Hollywood Bl. West
Franklin Hills Residents Assn.
Highlands Owners Assn.
Hollywood Dell Civic Assn.
Hollywood Heights Assn.
Hollywoodland Homeowners
Holmby Hills Homeowners Assn.
Kagel Canyon Civic Assn.
Lake Hollywood HOA
Laurel Canyon Assn.
Lookout Mountain Alliance
Los Feliz Improvement Assn.
Mt. Olympus Property Owners
Mt. Washington Homeowners All.
Nichols Canyon Assn.
N. Beverly Dr./Franklin Canyon
Oak Forest Canyon Assn.
Oaks Homeowners Assn.
Outpost Estates Homeowners
Pacific Palisades Residents Assn.
Residents of Beverly Glen
Roscomare Valley Assn.
Shadow Hills Property Owners
Sherman Oaks HO Assn.
Studio City Residents Assn.
Sunset Hills Homeowners Assn.
Tarzana Property Owners Assn.
Torreyson Flynn Assn.
Upper Mandeville Canyon
Upper Nichols Canyon NA
Whitley Heights Civic Assn.

Honorable Councilmembers Huizar, Englander, and Cedillo,

The Federation of Hillside and Canyon Associations, Inc., founded in 1952, represents 41 homeowner and residents associations spanning the Santa Monica Mountains, from Pacific Palisades to Mt. Washington. The Federation's mission is to protect the property and quality of life of its over 200,000 constituents and to conserve the natural habitat and appearance of the hillside and mountain areas in which they live.

At its September 4th meeting, the Federation unanimously voted to support the decision of the West Los Angeles Area Planning Commission (APC), which was made on two separate occasions, to deny a variance for a 50-foot, over-in-height structure at 360 N. Stone Canyon Road in lieu of the 36 feet permitted by Code because the Charter mandated findings cannot be made. Prior to the APC's determinations, the Zoning Administrator had also denied the request for a variance on the ground that none of the five mandated findings required for a variance could be made. The matter was referred back to the APC for reconsideration by the City Council after Councilmember Koretz assumed jurisdiction under Charter Section 245. The APC carefully considered the matter and again found that the mandated variance findings could not be made.

The matter is now before PLUM because Councilmember Koretz has invoked Charter Section 245 for a second time. The Federation does not support Councilmember Koretz's attempt to overturn the variance denial because it is clear that the Zoning Administrator and the APC properly concluded that the mandated findings could not be made.

Unfortunately, this is not the first time that Councilmember Koretz has invoked Section 245 for the improper purpose of overturning a factually sound APC determination. In *Chazanov v. City of Los Angeles*, LASC No. 135382, the Superior Court issued a writ of mandate on March 4, 2013, overturning the City Council's granting of variances that were properly rejected by the APC. As Councilmember Huizar warned at the April 23, 2013, PLUM Committee Meeting, the City exposes itself to liability when it grants factually unenforceable variances.

We ask that PLUM uphold the decision of the ZA and the West Los Angeles Area Planning Commission.

Sincerely,

Marian Dodge

Marian Dodge

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